

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN

UNITED STATES OF AMERICA,

Case No. 05-80955-2

-vs-

HON. DAVID M. LAWSON

DEMETRIUS EDWARD FLENORY,

Defendant.

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STIPULATION

On September 12, 2008, Judge Avern Cohn sentenced Defendant Demetrius Edward Flenory to 360 months in custody (which represented the low end of the applicable guidelines range) based on his conviction for continuing criminal enterprise (“CCE”) as charged in Count Two and 240 months based on this conviction for conspiracy to launder monetary instruments. Defendant’s adjusted offense level at the time of the original sentencing was 42 and the resulting sentencing guidelines range was 360 months to life (based on a criminal history category II).

The parties stipulate that Defendant meets the criteria under

United States Sentencing Guidelines Amendment 782 and 788, the retroactive amendments to the sentencing guidelines for drug cases. Thus, Defendant's amended guideline range would be based on offense level 40, which results in a guideline range of **324 to 405** months in custody for the drug count (that carries a 240-month mandatory minimum penalty).

The parties stipulate that this Court, may in its discretion, reduce Defendant's sentence pursuant to 18 U.S.C. § 3582(c)(2). If the Court exercises its discretion and reduces Defendant's sentence, it may result in a sentence as low as: **324 months**.

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Date: June 2, 2021